

TOM DAVIS, VIRGINIA,
CHAIRMAN

CHRISTOPHER SHAYS, CONNECTICUT
DAN BURTON, INDIANA
ILEANA ROS-LEHTINEN, FLORIDA
JOHN M. McHUGH, NEW YORK
JOHN L. MICA, FLORIDA
GIL GUTKNECHT, MINNESOTA
MARK E. SOUDER, INDIANA
STEVEN C. LATOURETTE, OHIO
TODD RUSSELL PLATTS, PENNSYLVANIA
CHRIS CANNON, UTAH
JOHN J. DUNCAN, JR., TENNESSEE
CANDICE MILLER, MICHIGAN
MICHAEL R. TURNER, OHIO
DARRELL ISSA, CALIFORNIA
VIRGINIA BROWN-WAITE, FLORIDA
JON C. PORTER, NEVADA
KENNY MARCHANT, TEXAS
LYNN A. WESTMORELAND, GEORGIA
PATRICK T. McHENRY, NORTH CAROLINA
CHARLES W. DENT, PENNSYLVANIA
VIRGINIA FOXX, NORTH CAROLINA

ONE HUNDRED NINTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
FACSIMILE (202) 225-3974
MINORITY (202) 225-5051
TTY (202) 225-6862

<http://reform.house.gov>

HENRY A. WAXMAN, CALIFORNIA,
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA
MAJOR R. OWENS, NEW YORK
EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
CAROLYN B. MALONEY, NEW YORK
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
DANNY K. DAVIS, ILLINOIS
Wm. LACY CLAY, MISSOURI
DIANE E. WATSON, CALIFORNIA
STEPHEN F. LYNCH, MASSACHUSETTS
CHRIS VAN HOLLEN, MARYLAND
LINDA T. SANCHEZ, CALIFORNIA
C.A. DUTCH RUPPERSBERGER,
MARYLAND
BRIAN HIGGINS, NEW YORK
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA

BERNARD SANDERS, VERMONT,
INDEPENDENT

Opening Statement of Rep. Henry Waxman on The Executive Branch Reform Act of 2006 April 6, 2006

The Executive Branch Reform Act we have before us now is the opposite of the Republican leadership bill we just considered.

This bill is the result of a true bipartisan effort, not political posturing and partisanship.

And it is true reform, not a phony proposal designed to fool the public without doing anything to clean up Washington.

This bill is being considered as a free-standing bill, not as an amendment to the Republican leadership proposal we just considered. But this bill should be an essential part of any true reform bill that comes before the House. The Chairman has assured me that we will stand together to press the Rules Committee to make this bill in order as an amendment to any broad ethics reform measure.

This legislation would reform the operations of the executive branch in several key areas. First, it would end secret meetings between lobbyists and Executive Branch officials.

The bill requires all political appointees and senior officials in federal agencies and the White House to report the contacts they have with lobbyists and other private parties asking for federal favors. Only four officials are exempted: the President, the Vice President, and their two chiefs of staff.

The reporting happens quarterly. And the reports, which will be maintained on a searchable database at the Office of Government Ethics, must disclose the dates of meetings, the parties involved, and the subject matter discussed.

Second, the bill closes the revolving door between lobbyists and the executive branch. Currently, there is no statutory ban that prevents lobbyists who enter government from handing out favors to their former clients. This bill creates one. For the first time, lobbyists appointed to high government positions will be deemed to have a conflict of interest if they take official actions affecting their former clients.

At the same time that the bill stops the “revolving in” door, it also closes the “revolving out” one too. Government officials who leave government to become lobbyists won’t be able to lobby their former colleagues for two years. Current law has only a one-year ban.

A revolving door has also developed between private contractors and procurement officials, and this legislation stops that, too. For the first time, it will be illegal for employees of private contractors who enter government to award contracts to their former employers. And the bill closes multiple loopholes in the laws governing when government procurement officials can be hired by companies to whom they awarded contracts.

Third, this bill advances the cause of open government by eliminating the use of “pseudo-classifications.” Too often, agencies are preventing public access to information by creating terms such as “sensitive but unclassified” or “for official use only.” These terms are not defined by statute or Executive order and are being used without proper authority. The standards required under this bill will halt the proliferation of these secrecy designations.

Fourth, the bill addresses the growing problem of government-sponsored covert propaganda. The measure would include language prohibiting government employees from spending taxpayer dollars for publicity or propaganda within the United States unless authorized by law. And it requires the disclosure of federal sponsorship of federal advertising or communications materials. There will be no more Armstrong Williamses if this bill becomes law.

And finally this bill would at long last enact whistleblower protections for national security personnel. Currently, federal employees who work on national security issues have no effective recourse if they are the victims of retaliation after they blow the whistle on abuses. This bill gives them protections equivalent to those that other federal employees have.

These are significant and meaningful reforms. Indeed, I would characterize them as landmark reforms. But they are not the only reforms that are needed.

I and other members of the Committee have introduced three other reform bills this Congress: an open government bill, a bill to halt the growing politicization of science, and a bill to end cronyism in government. The Chairman and I were not able to reach agreement on these components of reform in time for today’s mark-up. But Chairman Davis has agreed to continue to work with me on these measures.

And he has agreed that regardless of whether we can reach agreement or not, he will bring these bills before the Committee before the Memorial Day Recess so that Committee members can vote on them.

Today is a day of stark contrasts. The executive branch reforms before us in this bill represent Congress at its best. But the sham congressional reforms in the bill we just considered show Congress at its worst.

The key question is what happens next. When this legislation goes to floor, will we preserve the good we have done today while rejecting the bad ... or will Congress do exactly the opposite?

I won’t handicap this question, except to say that how this issue is resolved will say a lot about the character and integrity of this Congress.

I commend Chairman Davis for his leadership on this fine piece of legislation and urge its strong support.